



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------------------------------------------------------------------------------------------|-------------|----------------------|---------------------|------------------|
| 10/796,633 | 03/09/2004 | Yung-Tsun Hsieh | 10113911 | 2782 |
| 34283 7590 08/19/2008 QUINTERO LAW OFFICE, PC 2210 MAIN STREET, SUITE 200 SANTA MONICA, CA 90405 | | | | |
| EXAMINER | | | | |
| DEANE JR, WILLIAM J | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2614 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 08/19/2008 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/796,633

Applicant(s)

HSIEH, YUNG-TSUN

Examiner

William J. Deane

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 6, 7 and 11-15 is/are rejected.
- 7) ☒ Claim(s) 3-5 and 8-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Allowable Subject Matter

Claims 3 – 5 and 8 – 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 - 2, 6 - 7, 11 - 13 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Shappell (U.S. Patent No. 5,606,773).

With respect to claim 1, Shappell discloses a hinge comprising a base (50), an elastic member (60), a first cam (74), second cam (84), and third cam (64). The first cam is disposed on the base and rotates in first and second directions. The second cam (84) is disposed on the base and is abutted by the first cam (74). The first and second cams are arranged such that they are engaged, and the second cam (84) rotates with the first cam (74; when first cam rotates in the direction of the where the vertical flat sides of the teeth are engaged, or to the right, as shown in figure 2). The third cam (64) is disposed on the base in a manner such that it is abutted by the second cam (84) and

the elastic member (60). The second (84) and third cam (64) are arranged such that they are engaged and the second cam is blocked by the third cam and does not rotate along with the first cam (74) when the first cam rotates in the second direction. It is noted that the second cam (84) is supported in the vertical direction by the third cam (64), and is "blocked" from vertical movement relative to the third cam, by the third cam. When first cam (74) rotates in the second direction (to the left in figure 2) the second cam does not rotate therewith.

With respect to claim 2, Shappell discloses the first and second cams to have first and second curved surfaces, respectively (surfaces with engaging teeth). The first curved surface has first and second parallel portions (on teeth) and the second curved surface includes third and fourth parallel surfaces (on teeth of 80).

With respect to claim 6, Shappell discloses a first fixed coupler (62) opposite the first curved surface on the first cam (74).

With respect to claim 7, Shappell discloses the second (84) and third (64) cams to have third and fourth curved surfaces, respectively (surfaces with engaging teeth). The third curved surface has thirteenth and fourteenth parallel portions (on teeth) and the fourth curved surface includes fifteenth and sixteenth parallel surfaces (on teeth of 70).

With respect to claim 11, Shappell discloses the third cam (64) to include a second fixed coupler (66) opposite the fourth curved surface.

With respect to claim 12, Shappell discloses the base (50) to comprise a bottom portion (56) on which the elastic member (60) is disposed and a shaft (shown in shadow in figures 2 and 3) passing through the first, second and third cams.

With respect to claim 13, Shappell discloses each cam to include a through hole, through which the shaft (shown in shadow in figures 2 and 3) passes and are disposed on the bottom portion.

With respect to claim 15, Shappell discloses the elastic member (60) to be a spring.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shappell in view of Higano et al ("Higano", U.S. Patent No. 6,948,217). Shappell fails to disclose the fourth and fifth through holes with a pin. Higano teaches a hinge arrangement including a shaft member (1) with a hole and a cam member (6) with another through hole. A pin (7) passes through both through holes to secure the cam member to the

base. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Li as taught by Higano in order to secure the first cam member to the base. In Shappell, the screw does not enter a through hole in shaft to accomplish the same function. As modified, Shappell's shaft would include a through hole to achieve this equivalent function. It does not appear as though any new or unexpected result arises from such a modification.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,886,221 (Minami et al.) - note the Figs. and Abstract.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bill Deane whose telephone number is (571) 272-7484. In addition, facsimile transmissions should be directed to Bill Deane at facsimile number (571) 273-8300.

17Aug2008

/William J Deane/

Primary Examiner, Art Unit 2614

Application/Control Number: 10/796,633
Art Unit: 2614

Page 6